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MORRISON & FOERSTER LLP
3811 VALLEY CENTRE DRIVE
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OFFICE OF PETITIONS

In re Reissue Application of:
Monsonov et al.
Reissue Application No. 09/023,232
Filed: February 13, 1998
Original Patent No. 5,569,812
Issue Date: October 29, 1996
For: NUDE MOUSE MODEL FOR HUMAN
NEOPLASTIC DISEASE

: DECISION GRANTING PETITION

This is a decision on the petition filed October 12, 2005, which is properly treated as a petition under 37 CFR 1.183 seeking waiver of 37 CFR 1.172 which requires that all named inventors execute a supplemental reissue declaration.

The petition is **granted**.

As previously indicated in the decision of September 21, 2005, petitioner has established that notwithstanding diligent effort, neither of the joint inventors' signatures could be obtained for the required supplemental declaration, such that justice would be served by waiver of the rules. That is, while the Office is not willing to waive the requirement for a supplemental reissue declaration, the Office is willing to waive the signature requirements of both Monsonov and Fu on the required supplemental declaration. Here, counsel has prepared and signed the supplemental reissue declaration. The real party in interest is advised that this waiver extends to any future supplemental reissue declaration that might be filed herein.

This reissue application is being referenced to the Technology Center for consideration of the reply in due course.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3217.

3217.

Brian Bee

Brian Hearn
Petitions Examiner
Office of Petitions